INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Application No. 10/658,736

Filing Date September 9, 2003

First Named Inventor Alan E. Shluzas

Art Unit 3733

Examiner Nicholas W. Woodall

Multiple sheets used when necessary)

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SHEET 1 OF 11 Attorney Docket No. ENDIUS.26CPCP2

U.S. PATENT DOCUMENTS Pages, Columns, Lines Where **Document Number** Cit **Publication Date** aminer Relevant Passages or Relevant Number - Kind Code (if known) Name of Patentee or Applicant MM-DD-YYYY Initials Figures Appear No. Example: 1,234,567 B1 /NW/ 12/1891 Chase 465,161 3/1/41 **Brown** 2 2,235,979 Freedman 3 9/1/41 2,255,657 Lanahan 9/1/49 2,482,116 4 **Bicek** 5 2,575,253 11/1/51 Smith et al. 2,594,086 4/22/52 6 7 2,666,428 1/1/54 Glenner 7/1/56 **Barton** 8 2,756,742 Glenner 9 2,829,649 4/1/58 Morrison 5/1/59 10 2,886,004 Morrison 3,486,505 12/1/69 11 Weighton 3/1/71 12 3,570,498 Ostensen 7/13/71 13 3.592.199 Florin 3,626,471 12/1/71 14 Wilbanks 3/1/72 15 3,651,800 Kim et al. 1/29/74 16 3,788,318 4/8/75 Froning 17 3,875,595 Froning 3/1/77 18 3,941,127 3,964,480 6/1/76 Froning 19 Williams 9/1/77 20 4,049,000 4,232,660 11/1/80 Coles 21 McCready et al. 3/10/81 22 4,254,763 Burgin 8/1/82 23 4,344,419 Scott 9/1/82 24 4,350,151 Cabrera et al. 12/20/83 25 4,421,108 Storz 5/22/84 4,449,532 26 27 4,461,281 7/1/84 Carson Ash et al. 2/1/85 4,498,902 28

Examiner Signature / Nicholas Woodall/

4,538,594

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/NW/

Date Considered 05/13/2007

Boebel et al.

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OTATEMENT DV ADDI ICANT	First Named Inventor	Alan E. Shluzas
STATEMENT BY APPLICANT	Art Unit	3733
(Multiple sheets used when necessary)	Examiner	Nicholas W. Woodall
SHEET 2 OF 11	Attorney Docket No.	ENDIUS.26CPCP2

U.S. PATENT DOCUMENTS						
Examiner Initials	Cit e No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
/NW/	30	4,562,832	1/1/86	Wilder et al.		
Ī	31	4,573,448	3/1/86	Kambin		
	32	4,573,454	3/1/86	Hoffman		
<u> </u>	33	4,586,491	5/1/86	Carpenter		
	34	4,617,929	10/1/86	Gill et al.		
	35	4,638,799	1/27/87	Moore		
- 	36	4,655,216	4/1/87	Ticher		
	37	4,674,501	6/1/87	Greenberg		
	38	4,678,459	7/1/87	Onik et al.		
	39	4,696,544	9/1/87	Costella		
	40	4,700,694	10/1/87	Shishido		
_	41	4,736,738	4/1/88	Lipovsek et al.		
	42	4,750,475	6/1/88	Zanetti		
	43	4,750,487	6/14/88	Okutsu		
	44	4,762,120	8/1/88	Hussein		
	45	4,834,757	5/30/89	Brantigan		
_	46	4,834,757	5/30/89	Brantigan		
	47	4,850,342	7/25/89	Hashiguchi et al.		
	48	4,862,891	9/1/89	Smith et al.		
	49	4,874,897	10/1/89	Lee		
	50	4,878,915	11/7/89	Brantigan		
	51	4,904,261	2/27/90	Dove et al.		
┪┈	52	4,905,082	2/1/90	Nishigaki et al.		
	53	4,947,896	8/1/90	Bartlett		
	54	4,972,827	11/1/90	Kishi et al.		
	55	5,004,457	4/1/91	Wyatt et al.		
\top	56	5,015,247	5/14/91	Michelson		
Ψ	57	5,020,514	6/4/91	Heckele		
/NW/	58	5,071,410	12/1/91	Pazekk		

Examiner Signature	/Nicholas Woodall/	Date Considered	05/13/200	7		

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U.S. PATENT DOCUMENTS						
Examiner Initials No. Example: 1,234,567 B1		Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear		
/NW/	59	5,108,420	4/28/92	Marks		
Ī	60	5,112,354	5/12/92	Sires		
	61	5,125,396	6/1/92	Ray		
	62	5,139,487	8/1/92	Barber		
	63	5,139,511	8/1/92	Gill et al.		
	64	5,158,543	10/1/92	Lazarus		
	65	5,195,507	3/1/93	Bilweis		
	66	5,201,729	4/1/93	Hertzmann et al.		
	67	5,225,001	7/6/93	Manni et al.		
- I.	68	5,242,444	9/1/93	MacMillan		
	69	5,279,564	1/8/94	Taylor et al.	·	
	70	5,313,962	5/24/94	Obenchain		
	71	5,334,150	8/1/94	Kaali		
	72	5,339,802	8/1/94	Cook		
	73	5,339,803	8/1/94	Mayzels et al.		
	74	5,346,504	9/13/94	Ortiz et al.		
	75	5,353,784	10/1/94	Nady-Mohamed		
	76	5,357,983	10/1/94	Mathews		
	77	5,359,995	11/1/94	Sewell, Jr.		
	78	5,360,431	11/1/94	Puno et al.		
<u> </u>	79	5,364,395	11/1/95	West, Jr.		
	80	5,376,076	12/1/94	Kaali		
	81	5,380,291	12/1/95	Kaali		
	82	5,392,766	2/1/95	Masterson et al.		
	83	5,396,880	3/1/95	Kagan et al.		
	84	5,437,637	8/1/95	Lieber et al.		
	85	5,439,449	8/1/95	Mapes et al.		
-V	86	5,441,041	8/1/95	Sauer et al.		
/NW/	87	5,441,042	8/15/95	Putman		

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U.S. PATENT DOCUMENTS								
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/NW/	88	5,443,058	8/1/95	Ough				
1	89	5,443,514	8/22/95	Steffee				
	90	5,445,142	8/1/95	Hassler, Jr.				
	91	5,480,440	1/2/96	Kambin				
	92	5,503,617	4/2/96	Jako				
	93	5,512,034	4/1/96	Finn et al.				
_	94	5,534,009	7/1/96	Lander				
	95	5,549,595	8/1/96	Freitas				
 	96	5,551,947	9/1/96	Kaali				
	97	5,556,371	9/1/96	Kaali				
	98	5,562,696	10/1/96	Nobles et al.				
	99	5,562,736	10/8/96	Dickhudt et al.				
	100	5,569,205	10/1/96	Hart et al.				
1	101	5,569,248	10/1/96	Mathews				
	102	5,573,517	11/12/96	Bonutti et al.				
	103	5,588,949	12/31/96	Taylor et al.				
	104	5,603,688	2/1/97	Upsher				
	105	5,613,937	3/1/97	Garrison et al.				
	106	5,642,442	4/29/97	Merllinger et al.				
_	107	5,643,282	7/10/97	Kieturakis				
	108	5,667,472	9/1/97	Finn et al.				
	109	5,667,473	9/1/97	Finn et al.				
	110	5,667,478	9/1/97	McFarlin et al.				
1	111	5,674,295	10/7/97	Ray et al.				
	112	5,695,448	12/9/97	Kimura et al.				
1	113	5,702,454	12/30/97	Baumgartner				
	114	5,728,046	3/1/98	Mayer et al.				
Ψ^-	115	5,730,754	3/1/98	Obenchain				
/NW/	116	5,735,792	4/1/98	Vanden Hoek et al.				

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U.S. PATENT DOCUMENTS							
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/NW/	117	5,762,629	6/9/98	Kambin			
	118	5,772,661	6/1/98	Michelson			
	119	5,782,919	7/21/98	Zdeblick et al.			
	120	5,810,809	9/1/98	Rydell			
	121	5,813,978	9/29/98	Jako			
	122	5,814,084	9/29/98	Grivas et al.			
	123	5,823,947	10/1/98	Yoon et al.			
	124	5,824,093	10/20/98	Ray et al.	·		
	125	5,857,999	1/12/99	Quick et al.			
	126	5,865,728	2/1/99	Moll et al.			
<u> </u>	127	5,865,802	2/2/99	Yoon et al.			
	128	5,921,917	7/1/99	Barthel et al.	·		
	129	5,928,137	7/1/99	Green			
1	130	5,997,471	12/1/99	Gumb et al.			
	131	6,004,320	12/1/99	Casscells et al.			
	132	6,007,487	12/1/99	` Foley et al.			
	133	6,007,533	12/1/99	Casscells et al.			
	134	6,022,376	2/8/00	Assell et al.			
	135	6,074,380	6/1/00	Byme et al.			
	136	6,096,081	8/1/00	Grivas et al.			
	137	6,120,434	9/1/00	Kimura et al.			
	138	6,132,465	10/17/00	Ray et al.			
	139	6,142,931	11/1/00	Kaji			
	140	6,152,871	11/28/00	Foley et al.			
	141	6,162,170	12/1/00	Foley et al.			
	142	6,175,758	1/1/01	Kambin	·		
, ,	143	6,176,823	1/1/01	Foley et al.			
Ψ	144	6,206,822	3/1/01	Foley et al.	·		
/NW/	145	6,214,001	4/1/01	Casscells et al.			

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Examiner Initials	Cit e No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
/NW/	146	6,217,509	4/1/01	Foley et al.	
<u> </u>	147	6,221,082	4/24/01	Marino et al.	
	148	6,258,024	7/1/01	van Der Weegen	
	149	6,261,586	7/17/01	McCay	
	150	6,270,498	8/1/01	- Michelson	
	151	6,325,812	12/1/01	Dubrul et al.	
	152	6,387,130	5/14/02	Stone et al.	
	153	6,425,859	7/30/02	Foley et al.	
	154	6,485,518	11/1/02	Cornwall et al.	
	155	6,508,839	1/21/03	Lambrecht et al.	
	156	6,520,907	2/18/03	Foley et al.	
	157	6,520,926	3/1/03	Davison	
	158	6,530,929	3/11/03	Justis et al.	
	159	6,530,930	3/11/03	Marino et al.	
	160	6,575,899	6/10/03	Foley et al.	
	161	6,602,291	8/5/03	Ray et al.	
	162	6,610,094	8/26/03	Husson	
	163	6,648,888	11/1/03	Shluzas	
	164	6,652,553	11/25/03	Davison et al.	
	165	6,679,833	. 1/20/04	Smith et al.	
	166	6,800,084	10/5/04	Davison et al.	
	167	6,811,558	11/2/04	Davison et al.	
	168	6,821,243	11/23/04	Pagliuca et al.	
	169	6,837,891	1/4/05	Davison et al.	
	170	7,001,397	2/21/06	Davison	
	171	7,033,369	4/25/06	Davison et al.	
	172	7,056,321	6/6/06	Pagliuca, et al.	
V	173	7,108,705	9/19/06	Davison et al.	
/NW/	174	2002/0022764 A1	02/21/02	Smith et al.	

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SHEET 7 OF 11	Attorney Docket No.	ENDIUS.26CPCP2

			U.S. PATENT DO	CUMENTS	
Examiner Initials	Cit e No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date · MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
/NW/	175	2002/0065560 A1	05/30/02	Varga et. al.	
I	176	2002/0143235 A1	10/03/02	Pagliuca	
	177	2003/0153911 A1	8/1/03	Shluzas	
	178	2003/0167058 A1	9/1/03	Shluzas	
	179	2003/0208203 A1	11/6/03	Lim et al.	
	180	2003/0236529 A1	12/1/03	Shluzas et al.	·
	181	2004/0059339 A1	03/25/04	Roehm, III et al.	
	182	2004/0176763 A1	9/9/04	Foley et al.	
	183	U.S. App. No. 10/440,231 U.S. Pub. No. 2003-0195550	Filed 05/16/2003 Pub.: 10/16/2003	Davison et al.	
	184	LLS App No 10/441 319	Filed 05/16/2003 Pub.: 10/16/2003	Davison et al.	
	185	U.S. App. No. 10/514 797	Filed 7/31/2001 Pub. 4/27/2006	Davison et al.	
	186	U.S. App. No. 10/658,736 U.S. Pub. No. 2004-0133201	Filed 9/9/2003 Pub. 7/8/2004	Shluzas et al.	
	187	U.S. App. No. 10/665,754 U.S. Pub. No. 2004-0116954	Filed 9/19/2003 Pub. 6/17/2004	Davison et al.	
	188	U.S. App. No. 10/685,761 U.S. Pub. No. 2004-0078051	Filed 10/15/2003 Pub. 4/22/2004	Davison et al.	
	189	U.S. App. No. 10/686,154 U.S. Pub. No. 2004-0236317	Filed 10/15/2003 Pub. 11/25/2004	Davison	
	190	U.S. App. No. 10/713,820 U.S. Pub. No. 2004-0098012	Filed 11/14/2003 Pub. 5/20/2004	Davison et al.	
	191	U.S. App. No. 10/912,453 U.S. Pub. No. 2005-0033297	Filed 8/5/2004 Pub. 2/10/2005	Davison	
	192	0.5. 1 db. 140. 2000-002 1000	Filed 8/12/2004 Pub. 1/27/2005	Pagliuca et al.	
	193	U.S. App. No. 10/941,697 U.S. Pub. No. 2005-0113833	Filed 9/14/2004 Pub. 5/26/2005	Davison	
	194	U.S. App. No. 10/958,505 U.S. Pub. No. 2005-0043754	Filed 10/5/2004 Pub. 2/24/2005	Davison et al.	
	195	U.S. App. No. 11/417,616	Filed 5/3/2006	Davison et al.	
V	196		Filed 5/3/2006	Davison et al.	
/NW/	197	U.S. App. No. 11/417,653	Filed 5/3/2006	Davison et al.	

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	U.S. PATENT DOCUMENTS					
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·/NW/	198	U.S. App. No. 11/417,659	Filed 5/3/2006	Davison et al.		

			FOREIGN PATE	NT DOCUMENTS		
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹
/NW/	199	AU 13672/95	09/14/1995	Kambin		
1	200	DE 1566116	01/01/1970	Ostensen et al.		
	201	DE 2222979	11/01/1973	Tsch		
	202	DE 3108766 A1	09/01/1982	Nichtnennung		
	203	DE 3936811 A1	09/01/1990	Storz		
	204	EP 0 303 824 A2	02/01/1989	Martinez et al.		
	205	EP 0 528 562 A2	07/01/1992	Kambin		
	206	EP 0 682 918 A1	11/22/1995	Pfaifer et al.		
	207	EP 0 807 415 A2	11/19/1997	Kogasaka et al.		
	208	EP 0 980 677 A1	02/23/2000	Endius, Inc.		
	209	EP 1 090 595 A2	04/11/2001	Stryker Spine		·
	210	EP 1 251 767 A2	10/30/2002	Endius, Inc.		
	211	EP 1 305 077 A1	05/02/2003	Endius, Inc.		
	212	FR 2 701 379	08/19/1994	Destandau		
	213	FR 2 714 285 A1	06/30/1995	Adriao et al.		
	214	GB 2234906 A	02/20/1991	Shepperd	·	
	215	JP 2000-83960 A2	03/28/2000	Endius, Inc.		
	216	JP 2001-149376 A2	06/05/2001	Endius, Inc.		
	217	WO 91/06266 A1	05/16/1991	Surgical Dynamics, Inc.		
	218	WO 92/19146 A1	11/12/1992	Wild		
	219	WO 92/21292 A2	12/10/1992	Origin Medsystems, Inc.		
	220	WO 93/14801 A1	08/05/1993	Wilk		
V	221	WO 93/15647 A1	08/19/1993	Linvatec Corporation		
/NW/	222	WO 94/03114 A1	02/17/1994	Redmond et al.		

	/Nichalas Woodall/	Date Considered 05/13/2007
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/NW/	223	WO 95/10218 A1	04/20/1995	Stanford Surgical Tech., Inc.					
	224	WO 95/22285 A1	08/24/1995	Kambin					
	225	WO 95/32663 A1	12/07/1995	Kieturakis					
	226	WO 98/27884 A1	07/02/1998	Haider					
	227	WO 98/33462 A1	08/06/1998	Cardiac Assist Technologies, Inc.					
	228	WO 00/18306 A1	04/06/2000	SDGI Holdings, Inc.					
	229	WO 01/54560 A2	08/02/2001	Endius, Inc.					
	230	WO 02/09801 A1	02/07/2002	Endius, Inc.					
	231	WO 02/22030 A2	03/21/2002	SDGI Holdings, Inc.					
V	232	WO 02/078767 A2	10/10/2002	Endius, Inc.					
/NW/	233	WO 03/07783 A2	01/30/2003	Endius, Inc.					

			NON PATENT LITERATURE DOCUMENTS	
	miner tials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T¹
/N\	N/	234	ALBEE, FRED H., an excerpt from "Bone Graft Surgery in Disease, Injury and Deformity", Preface (xi-x), 1940.	
		235	CASPAR, WOLFHARD, M.D., "The Caspar Microsurgical Discetomy and Comparison with a Conventional Standard Lumbar Disc Procedure" Neurosurgery, January 1991, pgs. 78-87, Vol. 28, No. 1.	
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		239	DITSWORTH, DAVID A., M.D., "Endoscopic Transforaminal Lumbar Discectomy and Reconfiguration: A Posterolateral Approach into the Spinal Canal", Surg Neurol, 1998; 49-588-98.	
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Examiner Signature /Nicholas Woodall/	Date Considered 05/13/2007
*Examiner: Initial if reference considered, whether or not citation is in conformation conformance and not considered. Include copy of this form with next commu	ance with MPEP 609. Draw line through citation if not nication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

	Application No.	10/658,736
INFORMATION DISCLOSURE	Filing Date	September 9, 2003
STATEMENT BY APPLICANT	First Named Inventor	Alan E. Shluzas
	Art Unit	3733
(Multiple sheets used when necessary)	Examiner	Nicholas W. Woodall
SHEET 10 OF 11	Attorney Docket No.	ENDIUS.26CPCP2

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials No.		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹ .
		CHOT PERMARD H. M.S. et al. "A Minimally Invasive Technique for Decompression of the Lumbar	
	243	KAMBIN, PARVIZ, "Arthroscopic Lumbar Interbody Fusion", Publisher Unknown, Chapter 77:1055-1066, undated.	
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	245	KAMBIN, PARVIZ, Advances in Operative Orthopaedics, 3:147-171, 1995, "The Role of Minimally Invasive Spine Surgery".	
	246	KAMBIN, PARVIZ, Neurosurgery Clinics of North America, 7(1):65-76, 1996 "Diagnostic and Therapeutic Spinal Arthroscopy".	
	247	KAMBIN, PARVIZ, "Arthroscopic Techniques for Spinal Surgery", Chapter 89, Operative Arthroscopy, Second Edition, pgs. 1215-1225, 1996.	
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Examiner Signature	/Nicholas Woodall/	Date Considered	05/13/2007			
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PTO/SB/08 Equivalent

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		262	SOFAMOR DANEK, Laparoscopic Bone Dowel Surgical Technique, (17 pgs.) 1995.	
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		265	Request for Declaration of Interference filed in U.S. Patent Application No. 10/734,161, filed January 29, 2004.	
$\sqrt{}$		266	Copy of Response to Office Action dated January 3, 2006 in U.S. Application No. 10/734,161, filed July 3, 2006	
/N	IW/	267	Copy of Letter and Suggestion of Interference in U.S. Application No. 10/734,161, filed October 25, 2006.	

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